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SECTION C

GENERAL REQUIREMENTS

CHAPTER 1

TRANSPORTATION PLAN AND TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

INTRODUCTION

This section of the Guide provides information on the requirements related to the transportation plan (the plan) and transportation improvement program (TIP). The plan/TIP are the key products of the transportation planning process in metropolitan areas and guide short- and long-term transportation investments. The CAA and ISTEA (now TEA-21), reinforce the linkages between the plan, TIP and SIP and have prompted many changes in transportation planning in metropolitan areas.

In urbanized areas with a population of 50,000 or more, the Metropolitan Planning Organization (MPO) must develop a plan that covers at least a 20-year period.¹ The transportation plan must be updated every three years and must reference the latest planning assumptions. The plan must identify facilities including major roadways, transit and intermodal facilities, that should function as an integrated regional system.

In addition, the MPO must develop a TIP which is a multi-modal program of projects covering at least three years that includes the list of priority projects to be carried out in each of the three years for which Federal approvals or funding are sought. The TIP must be updated at least every two years and must also reference the latest planning assumptions. The MPO, in cooperation with the State and transportation providers such as public transit operators, has the lead responsibility for carrying out the transportation planning process in metropolitan areas including the development of the plan and the TIP.

In rural areas outside of the metropolitan planning area boundaries, the State is required to develop a transportation plan and a State Transportation Improvement Program (STIP) that includes both rural and urban areas. Transportation conformity does not apply to statewide transportation plans and STIPs. However, the State cannot adopt a metropolitan plan or TIP into the statewide plan or STIP unless the metropolitan plan or TIP has been found to conform. The STIP must be updated every two years and the FHWA/FTA exercise approval authority over the STIP. The FHWA/FTA cannot take funding actions for projects unless they are included in the Federally-approved STIP (23 CFR 450.332(d) 58078.)

CONTENTS OF THE TRANSPORTATION PLAN

¹ 23 CFR Part 450.322, Oct. 28, 1993, p. 58075.

Content of transportation plans

(a) Transportation plans adopted after January 1, 1997 in serious, severe, or extreme ozone nonattainment areas and in serious CO nonattainment areas. If the metropolitan planning area contains an urbanized area population greater than 200,000, the transportation plan must specifically describe the transportation system envisioned for certain future years which shall be called horizon years.

(1) The agency or organization developing the transportation plan may choose any years to be horizon years, subject to the following restrictions:

- (i) Horizon years may be no more than 10 years apart;
- (ii) The first horizon year may be no more than 10 years from the base year used to validate the transportation demand planning model;
- (iii) If the attainment year is in the time span of the transportation plan, the attainment year must be a horizon year;
- (iv) The last horizon year must be the last year of the transportation plan's forecast period.

(2) For these horizon years:

- (i) The transportation plan shall quantify and document the demographic and employment factors influencing expected transportation demand, including land use forecasts, in accordance with implementation plan provisions and the consultation requirements specified by §93.105;
- (ii) The highway and transit system shall be described in terms of the regionally significant additions or modifications to the existing transportation network which the transportation plan envisions to be operational in the horizon years. Additions and modifications to the highway network shall be sufficiently identified to indicate intersections with existing regionally significant facilities, and to determine their effect on route options between transportation analysis zones. Each added or modified highway segment shall also be sufficiently identified in terms of its design concept and design scope to allow modeling of travel times under various traffic volumes, consistent with the modeling methods for area-wide transportation analysis in use by the MPO. Transit facilities, equipment, and services envisioned for the future shall be identified in terms of design concept, design scope, and operating policies that are sufficient for modeling of their transit ridership. Additions and modifications to the transportation network shall be described sufficiently to show that there is a reasonable relationship between expected land use and the envisioned transportation system; and
- (iii) Other future transportation policies, requirements, services, and activities, including intermodal activities, shall be described.

(b) Moderate areas reclassified to serious. Ozone or CO nonattainment areas which are reclassified from moderate to serious and have an urbanized population greater than 200,000 must meet the requirements of paragraph (a) of this section within two years from the date of reclassification.

(c) Transportation plans for other areas. Transportation plans for other areas must meet the requirements of paragraph (a) of this section at least to the extent it has been the previous practice of the MPO to prepare plans which meet those requirements. Otherwise, the transportation system envisioned for the future must be sufficiently described within the transportation plans so that a conformity determination can be made according to the criteria and procedures of §§93.109, 93.119.

(d) Savings. The requirements of this section supplement other requirements of applicable law or regulation governing the format or content of transportation plans.

Analysis Requirements for Horizon Years

The transportation plan must describe the highway and transit system envisioned for selected future years which are called “horizon” years as described above, so that regional emissions analysis for conformity determinations can be performed.

40 CFR §93.101, as amended by 62 FR 43802, August 15, 1997

A horizon year is a year is a year for which the transportation plan describes the envisioned transportation system pursuant to 40 CFR §93.106.

Example of Horizon Years in an Ozone Nonattainment Area With an Attainment Date of 2005 (and with an area doing analyses for a 2000-2020 transportation plan):

- < 2000 (base year for model validation)
- < 2002 (milestone year)
- < 2005 (attainment year)
- < 2012 (intermediate horizon year)
- < 2020 (horizon year for last year of 20-year transportation plan)

(Note: also see 40 CFR §§93.118, as amended by 62 FR 43810-11, Aug. 15, 1997 and 40 CFR §93.119, as amended by 62 FR 43812-13, Aug. 15, 1997 and Chapter 5 for more information on how horizon years relate to regional emissions analysis. See Appendix H for FHWA memo on planning horizons)

For these horizon years, the transportation plan must quantify and document demographic and employment factors that influence transportation demand, including land use forecasts. This quantification and documentation of these planning assumptions must be developed through the consultation process. (See Section B and Chapter 2.)

The plan should discuss how proposed investments would address anticipated mobility problems in future years due to population, employment and economic growth. Additions to the system should be described in terms of the transportation benefits they provide at their expected completion and operational dates.

Regionally Significant Projects

The transportation plan must also describe any proposed regionally significant additions or modifications to the transportation (highway and transit) system that are expected to be operational in each horizon year. Regionally significant projects must also be identified in sufficient detail to analyze their emissions impacts.

Regionally significant is defined in the transportation conformity rule² as:

Regionally significant project means a transportation project (other than an exempt project in accordance with 40 CFR §§93.126, 93.127) that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc. or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network, including at a minimum all principal arterial highways and all fixed guide-way transit facilities that offer an alternative to regional highway travel.

Projects that are regionally significant, regardless of funding source, must be included in the regional emissions analysis. The determination of other regionally significant projects for the purposes of regional emissions analysis may vary in accordance with the interagency consultation procedures included in 40 CFR §93.105(c)(1)(ii) as amended by 62 FR 43805, Aug. 15, 1997 of the transportation conformity rule. Regionally significant additions or modifications to the transportation system must be identified and described in the following level of detail:

- < Highway network additions or modifications must identify intersections with existing regionally significant facilities,
- < The effect of such additions or modifications on route options between transportation analysis zones must be defined,
- < Additions or modifications to highway segments must identify the design concept and scope sufficiently to model travel time under various traffic volumes, consistent with MPO modeling methods,
- < Transit facilities, equipment and services proposed for the future must be defined in terms and design concept and scope and operating policies sufficient to model transit ridership, and
- < Additions or modifications to the transportation network must be sufficiently described to show a reasonable relationship between forecasted land use and the future transportation system.

In addition, the plan must discuss other future transportation policies, requirements, services, and activities, including intermodal activities (e.g. access improvements to ports, airports, major transfer hubs between truck and rail terminals, etc.).

WHERE DO THESE PLAN REQUIREMENTS APPLY?

The above requirements for regionally significant projects or additions to the transportation system apply to serious, severe, and extreme ozone nonattainment areas and serious carbon monoxide nonattainment areas. For moderate ozone or CO nonattainment areas that are reclassified to serious and have greater than 200,000 population, two years are provided from the reclassification date to meet the above

² 40 CFR §93.101, as amended by 62 FR 43803, Aug. 15, 1997.

requirements.

For nonattainment areas other than those listed above the transportation plan must meet the above requirements for describing regionally significant projects or additions to the transportation system apply *to the extent it has been previous practice of the MPO to prepare such plans*. Otherwise the plan must describe the future transportation system sufficiently so that a conformity determination can be made in accordance with the rule requirements, criteria and procedures, and consistent with the adopted public participation process.

While there are inherent shortcomings in long-range planning and the uncertainties involved, the rule requires the plan to be sufficiently developed to demonstrate at least one transportation system scenario in which the emissions impacts are consistent with the SIP. If, after plan adoption, an MPO chooses different projects and scenarios than those in the adopted transportation plan, the MPO is free to change the plan so long as the emission impacts of the new scenarios and set of projects, taken as a whole, with priority given to all applicable TCM projects, are consistent with the SIP. This will require a new conformity determination. (Refer to Chapter 4 for information on frequency of conformity determinations.)

CONTENTS OF THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The TIP must contain all projects which are selected by the MPO to be initiated in the TIP time frame (not less than three years) in order to advance the improvements envisioned in the highway and transit system as presented in the transportation plan.³ Projects in a TIP originate in the following way: the MPO develops a transportation plan in cooperation with the respective implementing agencies' and those agencies (in many cases, this will be the State) carry out the plan elements in the priority reflected in the TIP.

Projects must be sufficiently described in the TIP (and then the State Transportation Improvement Program (STIP)) for FHWA/FTA to make fiscal constraint determinations based upon the information provided. This level of detail will vary depending on the nature of the project but may include completed detailed engineering plans and specifications, completed NEPA requirements, number and type of transit vehicles to be purchased, facility engineering plans, or other information as needed.

CONSISTENCY BETWEEN THE TRANSPORTATION PLAN/TIP

The TIP must be consistent with the conforming transportation plan, and the TIP must be found to conform to the SIP. Specifically, the transportation plan/TIP must result in emissions consistent with those allowed in the SIP for the timeframe of the transportation plan. In addition, the TIP conformity determination must be updated within six months after a new conformity determination on a plan is made and the plan is adopted.

³ 23 CFR Part 450, 49 CFR Part 613, Oct. 28, 1993.

RELATIONSHIP OF TRANSPORTATION PLAN/TIP TO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The plan/TIP must meet the regional emissions analysis requirements as described in Chapters 5-8 of this Guide. In addition, the conformity requirements do not supersede any of the requirements of the National Environmental Policy Act (NEPA),⁴ (i.e. project development, consideration of alternatives). Project level conformity requirements must be met as a part of the NEPA process. Refer to Section F and Chapter 10 for Project Level Analysis requirements.

Further, should the NEPA process result in a substantially different design concept and scope than assumed in the transportation plan or TIP, then the project is subject to a project level re-analysis and the regional emissions analysis requirement on the plan/TIP must also be met prior to NEPA process completion. Thus, conformity must be re-determined for both the plan/TIP based on the new project scope prior to NEPA process completion and project approval.

FREQUENCY OF CONFORMITY DETERMINATIONS FOR TRANSPORTATION PLANS/TIPS

At a minimum, the MPO and DOT must make a conformity determination on the transportation plan/TIP at least once every three years.⁵ A new transportation plan or TIP must be found to conform before approval by the MPO or acceptance by DOT. The new plan or TIP conformity determination must include a new regional emissions analysis to at least a 20-year planning horizon using the latest planning and emissions models. *The three-year clock starts when the DOT approves the MPO conformity determination on the plan or TIP, not the date when the MPO transmits the plan or TIP to DOT.* If more than three years elapse after the DOT approves a conformity determination, and a new conformity determination is not made, then the existing plan/TIP conformity determination will lapse (see Chapter 4 for a complete discussion of lapsing). In addition, if a new conformity determination on a TIP is not made within six months of adoption of a new plan, the TIP will lapse. Conversely, if a new TIP is adopted first, a conformity determination on the plan is required to make the plan/TIP consistent.⁶ A conformity determination is also required for plan/TIP amendments.

The August 15, 1997 rule defines lapse as:

40 CFR §93.101, as amended by 62 FR 43802, August 15, 1997

⁴ 23 CFR Part 771, Aug. 28, 1987.

⁵ 40 CFR §93.104, as amended by 62 FR 43780, 43804, Aug. 15, 1997.

⁶ 40 CFR §93.104(c)(4), as amended by 62 FR 43780, Aug. 15, 1997.

...the conformity determination for the transportation plan or TIP has expired, and thus there is no current conforming plan/TIP.

40 CFR §93.104, as amended by 62 FR 43780, 43804, August 15, 1997

The MPO and DOT must determine the conformity of the TIP no less frequently than every three years. If more than three years elapse after DOT's conformity determination without the MPO and DOT determining conformity of the TIP, the existing conformity determination will lapse.

During a lapse, no new project-level conformity determinations may be made until a new conforming plan/TIP are in place. Many States and MPOs have long-established plan/TIP development schedules depending on factors including State fiscal year, transportation financing sources at the State and metropolitan level, and other issues or requirements unique to each State or MPO. Recognizing that the transportation plan update and TIP (and STIP) update or amendment schedules are usually not the same as SIP schedules, there are specific provisions in the rule that determine when a new conformity determination on either the plan or TIP is required.

TRIGGERS FOR TRANSPORTATION PLAN/TIP CONFORMITY DETERMINATIONS

In addition to the schedule noted above, a new conformity determination on existing transportation plans and TIPs is required within 18 months of the following, or the existing conformity determination will lapse (see Chapter 4). In this case, no new project level conformity determinations may be made until a new plan/TIP conformity determination has been made.⁷

40 CFR §93.104 (e), as amended by 62 FR 43804, August 15, 1997

Triggers for transportation plan/TIP conformity determinations. Conformity of existing transportation plans and TIPs must be redetermined within 18 months of the following, or the existing conformity determination will lapse, and no new project-level conformity determinations may be made until conformity of the transportation plan/TIP has been determined by the MPO and DOT:

- (1) November 24, 1993;*
- (2) The date of the State's initial submission to EPA of each control strategy SIP or maintenance plan establishing a motor vehicle emissions budget;*
- (3) EPA approval of a control strategy SIP revision or maintenance plan which establishes or revises a motor vehicle emissions budget;*
- (4) EPA approval of an SIP revision that adds, deletes, or changes TCMs; and*
- (5) EPA promulgation of an implementation plan which establishes or revises a motor vehicle emissions budget or adds, deletes, or changes TCMs.*

⁷ 40 CFR §93.104(e), as amended by 62 FR 43780, 43804, Aug. 15, 1997.

Changing Project Schedule Within the Transportation Plan or From the Transportation Plan to the TIP

If implementation schedules for individual projects within the conforming transportation plan change, an assessment by the MPO may be needed to ensure that such changes do not affect assumptions such as operational dates of projects, milestone years, etc. that would in turn affect modeling assumptions and the validity of the regional analysis for the transportation plan (see Chapter 5). If changes in project schedules within the plan occur, the transportation plan, taken as a whole, must continue to meet all of the transportation conformity requirements or a new conformity determination is required. When a project is proposed to be moved from a conforming transportation plan to the TIP, the metropolitan planning regulations and procedures for TIP development must be followed. If a project is moved within the first three years of the plan to the TIP, a TIP amendment is not required. If a project is moved from later years in the plan to the TIP, a TIP amendment and a new conformity determination is required. In both cases, the interagency consultation process is a crucial point for discussion of proposed changes and reaching agreement on the impacts of any such changes on the conformity determination.

In addition to rule requirements listed above, the interagency consultation process must include a procedure for assessing when new conformity determinations are needed. For example, when TIP amendments are proposed, notification of such amendments is required through the interagency consultation process. If the proposed TIP amendment involves non-exempt projects or changes in project design concept or scope, a new conformity determination is required. If the amendment involves an exempt project under the rule, a new conformity determination would not be needed. However, this assessment must be part of interagency consultation and subject to the agreed upon consultation process.⁸

Finally, the implementation of TCMs contained in the approved SIP must be implemented on the schedule contained within the SIP. Thus, TCMs that are in the approved SIP cannot be delayed beyond the date committed to in the SIP because of a TIP amendment.

On occasion, an MPO may be faced with a situation where a regionally significant project is proposed to be implemented that is not included in the currently conforming transportation plan or TIP. In that case, the MPO must comply with the provisions of the rule related to such projects as noted below.

Adding Regionally Significant Projects to the Plan/TIP

In order to add regionally significant projects to a plan or TIP, the MPO must show through project-level conformity requirements (see Section F and Chapter 10 and 40 CFR §93.113(d), 93.114, 93.116, 93.117, 93.118, 93.119, as amended by 62 FR 43810-12, Aug. 15, 1997.):

- 1) The project was included in the original regional emissions analysis (see Chapter 5) used to

⁸ 40 CFR §93.105(c)(iii), as amended by 62 FR 43805, Aug. 15, 1997.

- demonstrate conformity of the existing transportation plan/TIP, or
- 2) Perform a new regional emissions analysis assuming the project is added to the plan/TIP and document that with the new project, the conformity criteria for the plan/TIP would be met. A new analysis must use the latest planning assumptions and emissions models (see Chapter 5).

In addition, the following requirements apply:

- 1) Any FHWA/FTA project not from a conforming plan/TIP must not interfere with the implementation of TCMs from the approved SIP (see Chapter 3 for discussion of TCMs);
- 2) There must be a currently conforming plan/TIP at the time of project approval;
- 3) In CO and PM-10 nonattainment areas, the project must not cause or contribute to any new localized CO or PM-10 violations or increase the frequency or severity of any existing CO or PM-10 violations;
- 4) Each FHWA/FTA project must reduce or eliminate the severity and number of localized CO violations in areas within the CO nonattainment area substantially affected by the project;
- 5) In PM-10 nonattainment and maintenance areas, each FHWA/FTA project must comply with PM-10 control measures in the applicable SIP; and
- 6) The project (when combined with projects in the plan/TIP), must be consistent with the motor vehicle emissions budget in the approved SIP or SIP submission; or for areas without a motor vehicle emissions budget, the project must be consistent with the emissions reductions test(s).

As noted above, the addition of regionally significant projects to the plan/TIP is subject to the interagency consultation process. This provision was included in the rule to ensure that the emissions effects of all regionally significant projects, regardless of funding source, are taken into account in the transportation planning process. Further, emissions increases from such projects could impact the area's ability to attain and maintain the NAAQS.

MPO Notification of Regionally Significant Projects

The interagency consultation process⁹ must establish a mechanism to ensure that recipients of FHWA/FTA funds (including but not limited to the MPO), notify the MPO of any plans for construction of regionally significant non-Federal projects. Regionally significant non-Federal projects are those regionally significant projects that do not require Federal funding or approval. (See earlier discussion of regionally significant projects.) In addition, the following requirements must be met:

⁹ 40 CFR §93.105, as amended by 62 FR 43804-6, Aug 15, 1997.

- 1) Notification of a planned project to the MPO is required even if the project sponsor has not made a final decision on project construction,
- 2) Inclusion in the MPO transportation model and the regional emissions analysis is required of all known regionally significant non-Federal projects, and
- 3) MPOs must respond in writing to any comments that plans for regionally-significant non-Federal projects are not adequately accounted for in the regional emissions analysis.

ADDITIONAL TEA-21 REQUIREMENTS FOR THE PLAN/TIP

In addition to the conformity requirements discussed above, the transportation plan/TIP must meet certain statutory planning requirements.¹⁰ The two sets of requirements are complementary and conformity was designed to rely on closer coordination and integration of transportation planning processes and SIP planning among transportation and air quality agencies. Below is further information on the transportation planning requirements.

Fiscal Constraint for the Plan

The fiscal constraint requirement is intended to ensure that the total estimated costs of projects included in the plan and the estimated cost of constructing, operating, and maintaining the total (existing plus planned) transportation system over the period of the plan does not exceed reasonably available estimated revenues.¹¹ A conformity determination on fiscally constrained plans ensures that conformity findings are based on realistic plans and programs, and that TCMs and other projects which may be beneficial to air quality are funded.

40 CFR §93.108, as amended by 62 FR 43806, August 15, 1997

Transportation plan/TIPs must be fiscally constrained consistent with DOT's metropolitan planning regulations at 23 CFR part 450 in order to be found in conformity.

Financial constraint requirements for plans do not prohibit the inclusion of projects where funding is uncertain, but require that such projects be linked to new funding sources, and that a reasonable strategy for securing funds be included in the plan. The plan should identify which projects can be implemented using current revenue sources and which projects are to be implemented using proposed revenue sources. If funds are proposed from new revenue sources, realistic strategies to ensure their availability must be identified. TEA-21 allows MPOs to include in financial plans, for illustrative purposes, additional projects that could be included in the long range plan if new funds become available; thus providing some flexibility over ISTEA's fiscal constraint provisions.

¹⁰ 23 CFR Part 450, 49 CFR part 613, Oct. 28, 1993.

¹¹ 23 CFR Part 450.322(a)(ii), Oct. 28, 1993, p. 58075.

Fiscal Constraint for the TIP

In the first two years of the TIP, only projects that can be implemented with funds that are available or committed may be included. Funds must be identified and associated with specific projects within the TIP. Only projects for which funds can reasonably be expected to be available during the period of the TIP may be programmed, and it must be shown that the existing transportation system is being adequately operated and maintained.¹² TEA-21 also allows TIPs to include, for illustrative purposes, additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available. Metropolitan areas must include all funding sources in their TIP (e.g. Federal, State, local, private sector) in order to comply with the fiscal constraint requirements. Any shift in funding on projects in the TIP must be reflected in the plan and, likewise, shifts in projects in the plan must be reflected in the TIP.

Obligational Authority and Relationship to Fiscal Constraint

With respect to Federal funds, a plan/TIP may assume that funds will be available throughout the authorization period of current applicable Federal surface transportation legislation at historical appropriations levels. This does not mean that the Federal funds will definitely be available in exactly those amounts or at the precise times indicated in the plan or TIP. This depends on the Federal budget process and on the obligational authority of the respective State for any given fiscal year. This approach is acceptable with respect to estimating resource availability in the context of an uncertain Federal budgeting process.

Consideration of Planning Factors

U.S.C. §134(f)(1) and §135(c)(1)

TEA-21 requires that the State and metropolitan planning processes provide for the consideration of projects and strategies that will:

- (A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;*
- (B) increase the safety and security of the transportation system for motorized and non-motorized users;*
- (C) increase the accessibility and mobility options available to people and for freight;*
- (D) protect and enhance the environment, promote energy conservation, and improve quality of life;*
- (E) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;*
- (F) promote efficient system management and operations; and*
- (G) emphasize the preservation of the existing system.*

¹² 23 CFR Part 450.324(3), Oct. 28, 1993, p. 58076.

Public Involvement and Public Hearing Requirements

FHWA/FTA's planning regulations require transportation agencies to establish a public involvement process.¹³ The public participation process that documents how an MPO will carry out this requirement calls for a minimum public comment period of 45 days before the process can be adopted. In addition, the metropolitan planning regulations require a public comment period of at least 30 days before approval of plans, TIPs, and major amendments thereto. (Note: see earlier discussion of when amendments are required.) In nonattainment areas that are area Transportation Management Areas (TMAs), at least one formal public meeting must be held annually on the development of the transportation plan and the TIP. The public involvement requirements for the conformity process were changed with the August 15, 1997 rule and are discussed in Chapter 2.

TIMELY IMPLEMENTATION OF TRANSPORTATION CONTROL MEASURES

The plan/TIP must conform with the approved SIP and it must be demonstrated that priority has been given to the timely implementation of TCMs in the approved SIP (see Chapter 3 for a complete discussion of timely implementation requirements).

LATEST PLANNING ASSUMPTIONS

On January 18, 2001 the EPA, FHWA, and FTA issued joint guidance to clarify their expectations for implementing the transportation conformity rule's requirements for use of latest planning assumptions in conformity determinations. See Appendix P. This guidance also reiterates EPA's expectations for using latest planning assumptions in the development of motor vehicle emissions budgets in State Implementation Plans (SIPs). The guidance does not create new requirements; it simply clarifies existing requirements. Below is a summary of the guidance.

(From FHWA/FTA/EPA January 18, 2001 Memorandum: Use of Latest Planning Assumptions in Conformity Determinations)

...Nonattainment and maintenance areas must use the most recent planning assumptions that are available in their conformity determinations. Areas are encouraged to review and update their planning assumption regularly. Although these updates are not required by the transportation conformity rule, areas are strongly encouraged to review and strive towards regular 5-year updates of planning assumptions, especially population, employment, and vehicle registration assumptions. Areas with network-based travel models should review their assumptions and data used in model validation through the consultation process, and newer assumptions and data must be used whenever available. Conformity determinations must be based upon the most recent planning assumptions in force at the time of the determination. Conformity determinations that are based

¹³ 23 CFR Part 450.316(b)(1), p. 58073 (49 CFR Part 613, Oct. 28, 1993).

on assumptions that are older than 5 years should include written justification for not using more recent information. For areas where updates are appropriate, the conformity determination should include an anticipated schedule for updating assumptions. Air quality and transportation agencies should use the consultation process to ensure that the latest available planning assumptions are used in conformity determinations and SIP development...

...Motor vehicle emissions budgets in SIPs must be based on the most current information available at the time that the SIP is developed. These assumptions, including vehicle miles traveled (VMT), socioeconomic variables, emissions modeling inputs (including vehicle registration by age and type) and other planning assumptions, must be based on the latest information available at the time that the SIP is developed and as required by EPA guidance on SIP inventories and the MOBILE Users' guide¹⁴.

EPA recognizes that the transportation conformity determinations may be using more recent planning assumptions than those used in the approved SIP. The most recent planning assumptions must be used for conformity purposes. SIPs are revised periodically to account for new emissions factors, VMT growth, changing planning assumptions, etc. See Section B and Chapters 5-10 for more information about regional and project level analysis and the relationship to SIP assumptions.

¹⁴User's Guide to MOBILE5 (Mobile Source Emissions Factor Model), U.S. Environmental Protection Agency, Office of Mobile Sources, May 1994.